

### RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-8 and 10-15	Drawn to a method for producing polypyridinium.
II	9, 16 and 17	Drawn to a product by process.
III	18-19	Drawn to a product by itself.

### APPLICANTS' ELECTION

Applicants hereby elect with traverse the invention of Group I, claims 1-8 and 10-15, drawn to a method for producing polypyridinium, for prosecution at this time.

### REMARKS

Claims 1-19 are now pending in the subject U.S. patent application. Claims 1-19 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group I, claims 1-8 and 10-15, for prosecution at this time.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

The election presented herein above is made with traverse. The Restriction Requirement is believed to be in error in that it is believed that the U.S. Patent and Trademark Office (hereinafter "USPTO") has provided an insufficient basis for the Restriction Requirement. To elaborate, the USPTO has only provided a summary statement that each group has a different technical feature and requires a different search. It is believed that this conclusory and summary statement is insufficient to

support the instant Restriction Requirement. It is further noted that no lack of unity finding was presented at the International stage for the PCT International patent application underlying the subject U.S. patent application. See also 37 C.F.R. Section 1.475(b), which is believed to provide for unity of invention between a product and a process for making the product. Withdrawal of the Restriction Requirement and examination of all the claims are respectfully requested.

### CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

### DEPOSIT ACCOUNT

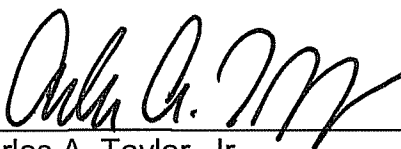
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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Date: 09/16/2010

By: \_\_\_\_\_



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